

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:17-cv-12022-FDS**

Commonwealth of Massachusetts et al v. United States  
Department of Homeland Security et al  
Assigned to: Judge F. Dennis Saylor, IV  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/17/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Commonwealth of Massachusetts**

represented by **Jonathan Sclarsic**  
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*TERMINATED: 08/08/2018*  
*LEAD ATTORNEY*  
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**Kevin W. Manganaro**  
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**Plaintiff**

**State of California**

represented by **Satoshi Yanai**  
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**Jonathan Sclarsic**  
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**Plaintiff**

**District of Columbia**

represented by **Robyn R Bender**  
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**Plaintiff**

**State of Hawaii**

represented by **Stella M.L. Kam**  
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**Jonathan Sclarsic**  
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**Plaintiff**

**State of Iowa**

represented by **Nathan Blake**  
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**Jonathan Sclarsic**  
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**Plaintiff**

**State of Illinois**

represented by **Caitlyn McEllis**  
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**Jonathan Sclarsic**  
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**Plaintiff**

**State of Maryland**

represented by **Steven M Sullivan**  
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**Jonathan Sclarsic**  
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**Plaintiff**

**State of New York**

represented by **Lourdes M Rosado**  
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**Jonathan Sclarsic**  
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**Plaintiff**

**State of Oregon**

represented by **Scott Kaplan**  
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**Jonathan Sclarsic**  
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*TERMINATED: 08/08/2018*  
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**Plaintiff**

**State of Washington**

represented by **Chalia Stallings Ala'ilima**  
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**Jonathan Sclarsic**  
 (See above for address)  
*TERMINATED: 08/08/2018*  
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V.

**Defendant**

**United States Department of Homeland Security**

represented by **Anita Johnson**  
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**Defendant**

**United States Immigration and Customs Enforcement**  
*Division of the Department of Homeland Security*

represented by **Anita Johnson**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**United States Citizenship and Immigration Services**

represented by **Anita Johnson**  
 (See above for address)  
*LEAD ATTORNEY*  
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**Defendant**

**United States Customs and Border Protection**

represented by **Anita Johnson**  
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| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 10/17/2017 | <u>1</u> | COMPLAINT against All Defendants Filing fee: \$ 400, receipt number 0101-6843571 (Fee Status: Filing Fee paid), filed by COMMONWEALTH OF MASSACHUSETTS, District of Columbia, State of California, State of Hawaii, State of Illinois, State of Iowa, State of Maryland, State of New York, State of Oregon, State of Washington. (Attachments: # <u>1</u> Civil Cover Sheet # <u>2</u> Category Form, # <u>3</u> Summons)(Sclarsic, Jonathan) ( <b>Attachment 1 replaced on 10/17/2017 due to fillable format</b> ) (DaSilva, Carolina). ( <b>Attachment 2 replaced on 10/17/2017 due to fillable format</b> ) (DaSilva, Carolina). ( <b>Attachment 3 replaced on 10/17/2017 due to fillable format</b> ) (DaSilva, Carolina). (Entered: 10/17/2017) |
| 10/17/2017 | <u>2</u> | ELECTRONIC NOTICE of Case Assignment. Judge F. Dennis Saylor, IV assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Donald L. Cabell. (Caruso, Stephanie) (Entered: 10/17/2017)   |
| 10/17/2017 | <u>3</u> | Summons Issued as to United States Citizenship and Immigration Services, United States Customs and Border Protection, United States Department of Homeland Security, United States Immigration and Customs Enforcement. <b>Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service.</b> (DaSilva, Carolina) (Entered: 10/17/2017)  |

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| 12/01/2017 | <u>4</u>  | SUMMONS Returned Executed United States Citizenship and Immigration Services served on 10/23/2017, answer due 11/13/2017; United States Customs and Border Protection served on 10/23/2017, answer due 11/13/2017; United States Department of Homeland Security served on 10/23/2017, answer due 11/13/2017; United States Immigration and Customs Enforcement served on 10/27/2017, answer due 11/17/2017. (Sclarsic, Jonathan) (Entered: 12/01/2017)  |
| 12/04/2017 | <u>5</u>  | ELECTRONIC NOTICE of Hearing. Status Conference set for 1/11/2018 02:00 PM in Courtroom 2 before Judge F. Dennis Saylor IV.<br><br><b>Counsel receiving this notice are directed to serve copy of the notice of hearing on all defendants.</b> (Pezzarossi, Lisa) (Entered: 12/04/2017)  |
| 12/05/2017 | <u>6</u>  | NOTICE of Appearance by Anita Johnson on behalf of United States Citizenship and Immigration Services, United States Customs and Border Protection, United States Department of Homeland Security, United States Immigration and Customs Enforcement (Johnson, Anita) (Entered: 12/05/2017)  |
| 12/08/2017 | <u>7</u>  | MOTION for Leave to Appear Pro Hac Vice for admission of Lourdes M. Rosado by State of New York.(Halley, Taylor) (Entered: 12/11/2017)   |
| 12/08/2017 | <u>8</u>  | MOTION for Leave to Appear Pro Hac Vice for admission of Scott Kaplan by State of Oregon.(Halley, Taylor) (Entered: 12/11/2017)  |
| 12/08/2017 | <u>9</u>  | MOTION for Leave to Appear Pro Hac Vice for admission of Chalia Stallings--Ala'ilima by State of Washington.(Halley, Taylor) (Entered: 12/11/2017)   |
| 12/08/2017 | <u>10</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Steven M. Sullivan by State of Maryland.(Halley, Taylor) (Entered: 12/11/2017)  |
| 12/08/2017 | <u>11</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Caitlyn McEllis by State of Illinois.(Halley, Taylor) (Entered: 12/11/2017)   |
| 12/08/2017 | <u>12</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Nathan Blake by State of Iowa.(Halley, Taylor) (Entered: 12/11/2017)  |
| 12/08/2017 | <u>13</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Stella M.L. Kam by State of Hawaii.(Halley, Taylor) (Entered: 12/11/2017)   |
| 12/08/2017 | <u>14</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Robyn R. Bender by District of Columbia.(Halley, Taylor) (Entered: 12/11/2017)  |
| 12/12/2017 | <u>15</u> | NOTICE of Appearance by Sara A. Colb on behalf of Commonwealth of Massachusetts (Colb, Sara) (Entered: 12/12/2017)   |
| 12/19/2017 | <u>17</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Satoshi Yanai by State of California.(Halley, Taylor) (Entered: 12/20/2017)   |
| 12/20/2017 | <u>16</u> | Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>7</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>8</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>9</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>10</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>11</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>12</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>13</u> Motion for Leave to Appear Pro Hac Vice ; granting <u>14</u> Motion for Leave to Appear Pro Hac Vice (Halley, Taylor) Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a> . Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form. (Entered: 12/20/2017) |
| 12/20/2017 | <u>18</u> | Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>17</u> Motion for Leave to Appear Pro Hac Vice Added Satoshi Yanai. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Halley, Taylor) (Entered: 12/20/2017)  |
| 12/22/2017 | <u>19</u> | Assented to MOTION for Extension of Time to 1/26/2018 to File Answer by United States Citizenship and Immigration Services, United States Customs and Border   |

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|            |           | Protection, United States Department of Homeland Security, United States Immigration and Customs Enforcement.(Johnson, Anita) (Entered: 12/22/2017)  |
| 01/02/2018 | <u>20</u> | ELECTRONIC NOTICE Canceling Hearing. Status conference set for 1/11/2018 is OFF. (Pezzarossi, Lisa) (Entered: 01/02/2018)  |
| 01/02/2018 | <u>21</u> | Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>19</u> Motion for Extension of Time to Answer: United States Citizenship and Immigration Services answer due 1/26/2018; United States Customs and Border Protection answer due 1/26/2018; United States Department of Homeland Security answer due 1/26/2018; United States Immigration and Customs Enforcement answer due 1/26/2018. (Pezzarossi, Lisa) (Entered: 01/02/2018)  |
| 01/02/2018 | <u>22</u> | NOTICE of Scheduling Conference Scheduling Conference set for 2/21/2018 02:00 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Attachments: # <u>1</u> Text of Proposed Order)(Pezzarossi, Lisa) (Entered: 01/02/2018)   |
| 01/26/2018 | <u>23</u> | ANSWER to <u>1</u> Complaint,, by United States Citizenship and Immigration Services, United States Customs and Border Protection, United States Department of Homeland Security, United States Immigration and Customs Enforcement.(Johnson, Anita) (Entered: 01/26/2018)   |
| 02/15/2018 | <u>24</u> | JOINT STATEMENT re scheduling conference . (Attachments: # <u>1</u> Rule 16.1 Certification of the Parties)(Sclarsic, Jonathan) (Entered: 02/15/2018)  |
| 02/21/2018 | <u>25</u> | MOTION for Leave to Appear Pro Hac Vice for admission of Valerie M. Nannery by District of Columbia.(Halley, Taylor) (Entered: 02/21/2018)   |
| 02/21/2018 | <u>26</u> | Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>25</u> Motion for Leave to Appear Pro Hac Vice Added Valerie M. Nannery. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (Halley, Taylor) (Entered: 02/21/2018)   |
| 02/21/2018 | <u>28</u> | Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Scheduling Conference held on 2/21/2018. Case called. Colloquy re: discovery, production of documents and Govt's anticipated deadline for production of 11/30/2018. Court orders rolling production on monthly basis. CIS and Customs and Border Protection completed by 9/30/2018. Court set matter for status.<br><br>NOTICE OF HEARING: Status Conference set for 6/4/2018 03:40 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter: Valerie OHara at vaohara@gmail.com.)(Attorneys present: Sclarsic, Colb, Johnson, Manning) (Pezzarossi, Lisa) (Entered: 04/16/2018) |
| 02/22/2018 | <u>27</u> | Filing fee/payment: \$ 100, receipt number 1BST066995 for 26 Order on Motion for Leave to Appear, (Halley, Taylor) (Entered: 02/22/2018)   |
| 05/29/2018 | <u>29</u> | First MOTION for Extension of Time to N/A to Reschedule Status Conference by Commonwealth of Massachusetts.(Sclarsic, Jonathan) (Entered: 05/29/2018)  |
| 05/29/2018 | <u>30</u> | Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>29</u> Joint Motion to Reschedule the 6/4/2018 status conference. The Status Conference has been rescheduled for 6/20/2018 02:20 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 05/29/2018)   |
| 06/20/2018 | <u>31</u> | Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Status Conference held on 6/20/2018. Case called. Parties report on status of rolling production. Court set further status for 10/3/2018 at 2:30 PM. (Court Reporter: Valerie OHara at vaohara@gmail.com.)(Attorneys present: J. Sclarsic (ph), Johnson) (Pezzarossi, Lisa) (Entered: 06/21/2018)   |
| 07/02/2018 | <u>32</u> | NOTICE of Withdrawal of Appearance by Jonathan Sclarsic (Sclarsic, Jonathan) (Entered: 07/02/2018)   |

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| 08/08/2018 | 33        | ELECTRONIC NOTICE of Hearing. Status Conference set for 10/3/2018 02:30 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 08/08/2018)   |
| 09/21/2018 | <u>34</u> | NOTICE of Appearance by Kevin W. Manganaro on behalf of Commonwealth of Massachusetts (Manganaro, Kevin) (Entered: 09/21/2018)   |
| 10/03/2018 | 35        | Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor, IV: Status Conference held on 10/3/2018. Parties reported on document production. Court set further hearing.<br><br>NOTICE OF HEARING: Status Conference set for 12/13/2018 03:10 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter: Valerie OHara at vaohara@gmail.com.)(Attorneys present: K. Manganaro, A. Johnson) (Pezzarossi, Lisa) (Entered: 10/11/2018) |
| 12/10/2018 | <u>36</u> | Joint MOTION to Continue Status Conference to 1/31/2019 by United States Citizenship and Immigration Services.(Johnson, Anita) (Entered: 12/10/2018)   |
| 12/11/2018 | 37        | Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting <u>36</u> Motion to Continue Status Conference set for 1/31/2018 02:30 PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Pezzarossi, Lisa) (Entered: 12/11/2018)  |
| 01/03/2019 | <u>38</u> | NOTICE of Withdrawal of Appearance by Kevin W. Manganaro (Manganaro, Kevin) (Entered: 01/03/2019)  |